

MONDAY, MARCH 31, 1986

EIGHTY-FIFTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Donald Stone, Thompson Station United Methodist Church, Thompson Station, Tennessee.

Representative Hobbs led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 92

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1326, 1396, 1525, 1582, 1740 and

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

1806; and House Resolution No. 125; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1326, 1396, 1525, 1582, 1740 and 1806; and House Resolution No. 125.

CALENDAR

House Bill No. 1712--To increase certain court fees.

On motion, House Bill No. 1712 was made to conform with Senate Bill No. 1533.

On motion, Senate Bill No. 1533, on same subject, was substituted for House Bill No. 1712.

Mr. Stallings moved that Senate Bill No. 1533 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1533 by inserting a new item between the first and second items added by the amendatory language of Section 2:

() The clerk shall annually notify the Comptroller's Office and the county as to whether a flat fee is to be charged on all cases set out in the previous item or whether the itemized fees will be charged in all such cases. Notices shall be sent prior to July 1 of each year. The election made by the clerk shall apply to all cases set out in the previous item during the year of such election.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1533, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Robinson (Davidson) moved that Senate Bill No. 1210 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1601--To grant certain powers, industrial development corporation.

On motion, House Bill No. 1601 was made to conform with Senate Bill No. 1696.

On motion, Senate Bill No. 1696, on same subject, was substituted for House Bill No. 1601.

Mr. Copeland moved that Senate Bill No. 1696 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 90 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 1281--To provide for disclaimer of certain property of interests.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, House Bill No. 1281 was made to conform with Senate Bill No. 1312.

On motion, Senate Bill No. 1312, on same subject, was substituted for House Bill No. 1281.

Mr. Cobb moved that Senate Bill No. 1312 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 1229--To limit late charges for public housing rent payments.

On motion, House Bill No. 1229 was made to conform with Senate Bill No. 1390.

On motion, Senate Bill No. 1390, on same subject, was substituted for House Bill No. 1229.

Mr. Starnes moved that Senate Bill No. 1390 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1390 by adding the following new sentence to subsection (e) of Section 1:

The provisions of this subsection shall apply only to counties with a population between two hundred fifty thousand (250,000) and three hundred thousand (300,000) according to the 1980 federal census or any subsequent census.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1390, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 88 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

A motion to reconsider was tabled.

House Resolution No. 102--Relative to approving amendments to Rules of Civil Procedure.

Mr. Murphy moved that House Resolution No. 102 be adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Resolution No. 102 by deleting the resolving clause in its entirety and substituting instead the following:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 94TH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that the amendments and revisions to Rules 30.02(4)(A), 30.02(4)(B), 32.01(3)(D), 32.01(3)(E), 45.05(2), 54.04, 59.01, 59.02, 59.03, 59.04, 59.05, and 62.06 of the Tennessee Rules of Civil Procedure as promulgated and adopted by the Supreme Court in its order dated January 23, 1986, copies of which were filed with the House Clerk on Januray 31, 1986, as aforesaid, are hereby ratified and approved.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

AMENDMENT NO. 2

Amend House Resolution No. 102 by deleting the first clause of the preamble in its entirety and by substituting instead the following:

WHEREAS, on January 23, 1986, the Supreme Court of Tennessee, acting pursuant to the provisions contained in Section 16-3-402, et seq., Tennessee Code Annotated, entered an order, and on March 18, 1986, entered a supplemental order promulgating certain amendments and provisions to the Tennessee Rules of Civil Procedure previously promulgated and adopted by the Court and approved by a Resolution of both houses of the General Assembly, and

AND FURTHER AMEND by deleting the second clause of the preamble in its entirety and by substituting instead the following:

WHEREAS, on January 31, 1986, and March 19, 1986, a certified copy of said orders together with a certified copy of the proposed amendments and revisions to the Tennessee Rules of Civil Procedure, were reported and filed with the General Assembly by the Chief Justice for approval by a Resolution of both houses, and

AND FURTHER AMEND by deleting the resolving clause in its entirety and by substituting instead the following:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 94TH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, that the amendments and revisions to the Tennessee Rules of Civil Procedure as promulgated and adopted by the Supreme Court in its order dated January 23, 1986, and in its supplemental order dated March 18, 1986, copies of which were filed with the House Clerk on January 31, 1986, and March 19, 1986, respectively, as aforesaid, are hereby ratified and approved.

On motion, the amendment was adopted.

Thereupon, House Resolution No. 102, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 1322--To make certain provisions, Board of Claims.

Mr. Murphy moved that House Bill No. 1322 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1322 by deleting SECTIONS 1 and 2 in their entireties and by substituting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 9-8-307(a) is amended by adding the following language as a new, appropriately designated item:

() claims for compensation filed under the criminal injuries compensation act. Claims filed pursuant to this item shall be determined in accordance with the provisions of Title 29, Chapter 13 and, if requested by the claimant, shall be heard in the claimant's county of residence. Decisions of the Commission shall be subject to appeal in the same manner set forth in section 9-8-403 for other decisions of the Commission.

SECTION 2. Notwithstanding the provisions of Tennessee Code Annotated, Title 29, Chapter 13 to the contrary, the Tennessee Claims Commission shall have exclusive jurisdiction to determine all claims filed for compensation under the criminal injuries compensation act in accordance with the provisions of Title 29, Chapter 13; provided, however, that this exclusive jurisdiction shall apply only to claims for compensation filed on or after January 1, 1987. At the request of the claimant and with the consent of the court, any claim filed prior to January 1, 1987 may be transferred to the claims commission for determination of the claim.

SECTION 3. With the exception of sections 29-13-102(c), 29-13-103 and 29-13-113, the Tennessee Code Commission is authorized and directed to change references to "court" appearing in Title 29, Chapter 13, Part 1 to "claims commission" and to change references to "clerk" or "clerk of court" appearing in Title 29, Chapter 13, Part 1 to "administrative clerk of the commission" in

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

order to effectuate the transfer of jurisdiction to the Tennessee Claims Commission.

SECTION 4. Tennessee Code Annotated, Section 9-8-307, is amended by adding the following language as a new subsection:

(i) (1) Claims that were timely filed with a court of competent jurisdiction and that fall within the jurisdiction of the claims commission found in Tennessee Code Annotated, Section 9-8-307(a), may be transferred to the division of claims administration by agreement of the parties and the consent of the state attorney general and reporter and upon such transfer shall be considered timely filed with the division of claims administration. Such transfer shall be effected by filing with the division of claims administration the parties' agreement and the complaint which is the subject of said agreement. Such claims shall be considered by the division of claims administration and the claims commission, as provided by law, even if the court retains jurisdiction over the claim.

(2) Claims which are transferred to the division of claims administration pursuant to this subsection shall be investigated by the division of claims administration, acted upon or transferred by said division, and acted upon by the claims commission pursuant to the same statutory requirements and procedures as apply to claims originally filed with division of claims administration.

SECTION 5. Tennessee Code Annotated, Section 9-8-307(a)(14) is amended by deleting the subsection in its entirety and by substituting in lieu thereof the following language:

(14) Deprivation of statutory or constitutional rights, except for actions arising out of claims over which the civil service commission has jurisdiction, but nothing in this subsection shall be construed to affect the provisions of section (d) below, including but no limited to, the provisions that the state will be liable for actual damages only, that the state will not be liable for punitive damages and the costs of litigation other than court costs, and that the state will not be liable for willful, malicious, or criminal acts by state employees or for acts on the part of state employees done for personal gain;

SECTION 6. Tennessee Code Annotated, Section 9-8-108, is amended by adding the following language as a new subsection:

The board of claims may not consider a claim filed more than one year after the occurrence of the incident giving rise to the claim.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1322, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 661 out of order, which motion prevailed.

House Joint Resolution No. 661--Relative to congratulating Representative Cotton Ivy, 4-H Alumni Award--By Collier, Ridgeway and Burnett.

Mr. Burnett moved that House Joint Resolution No. 661 be adopted, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 93 |
| Noes | 0 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative present and not voting was: Ivy--1.

A motion to reconsider was tabled.

House Bill No. 1580--To regulate certain home repairs.

Mr. Brewer moved that House Bill No. 1580 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1580 by deleting in its entirety the amendatory language of Section 1 and by substituting instead the following:

(b)

(1) Subject to the local approval provisions of item (4) of this subsection, building permits for general home repairs and improvement shall be issued only in accordance with item (2) of this subsection.

(2)

(A) An unlimited number of building permits for general home repairs and improvements may be issued to contractors licensed by the state of Tennessee.

(B) Not more than ten (10) active building permits for general home repairs and improvements may be issued to an unlicensed contractor who on the effective date of this act is in the business of general home repairs and maintenance.

(c) Any person who enters into a contracting business of general home repairs and maintenance after the effective date of this act, if such person is an unlicensed contractor by the state of Tennessee shall for a period of not less than two (2) years be required to post a cash bond in an amount sufficient to cover the cost of all services, labor, and materials used by such contractor or any immediate or remote subcontractor under him for all such permits. The bond so given shall be filed with the appropriate governmental office issuing such permit and shall remain filed with such office until a copy is submitted

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

to such office on the form required by Tennessee Code Annotated, Section 66-11-205, notifying the owner that no claims have been made to the contractor by, nor is any suit pending on behalf of, any contractors, subcontractors, laborers or materialmen, and that no chattel mortgages or conditional bills of sale have been given or are not outstanding as to any materials, appliances, fixtures or furnishings placed upon or installed in the premises for which such permit was issued. The governing body may extend this period based on the number of outstanding complaints or judgements obtained against such contractor for breach of contract or failing to comply with applicable laws and regulations.

(3) If an individual makes application for a building permit for general home repairs and maintenance, the issuing authority shall advise the individual of the provisions of this act, especially as it relates to the protection provided to the general public in requiring a cash bond for unlicensed contractors under the provisions of subitem (C) of this subsection (b) (2).

(4) The provisions of this act shall apply in any county, which by resolution of its county legislative body, or in any incorporated municipality which by ordinance of its governing body, elects to come under the provisions of this act. Such governing body shall also provide the mechanism to insure that no more than ten (10) active permits are in force at any one time under sub-item (2) (B), for the filing and releasing of bonds under sub-item (2) (C), and for the notification provisions of sub-item (3).

On motion, the amendment was adopted.

Thereupon, House Bill No. 1580, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby),

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1824--To provide for legal counsel, general assembly.

On motion, House Bill No. 1824 was made to conform with Senate Bill No. 1844.

On motion, Senate Bill No. 1844, on same subject, was substituted for House Bill No. 1824.

Mr. Ussery moved that Senate Bill No. 1844 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 84 |
| Noes | 4 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Jared, Moody, Scruggs and Turner, C. (Shelby)--4.

A motion to reconsider was tabled.

House Bill No. 1718--To regulate collection of tax revenue and claims arising therefrom.

On motion, House Bill No. 1718 was made to conform with Senate Bill No. 1437.

On motion, Senate Bill No. 1437, on same subject, was substituted for House Bill No. 1718.

Mr. Naifeh moved that Senate Bill No. 1437 be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1933--To establish program to assist victims, criminal justice system.

Mr. Naifeh moved that House Bill No. 1933 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1933 by deleting all of the provisions of the bill after the caption and by substituting in lieu thereof the following:

WHEREAS, the criminal justice system places its primary attention upon persons accused of or convicted of crimes; and

WHEREAS, many times the criminal justice system works to the seeming detriment of victims of and witnesses to crime; and

WHEREAS, efforts to balance the system began with the enactment of the Tennessee Criminal Injuries Compensation Program in 1976; and

WHEREAS, other efforts in victims and witness assistance have been undertaken by various groups throughout Tennessee; and

WHEREAS, the Congress has enacted the Victims of Crime Act of 1984 which provides certain funds for such efforts to the states; and

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

WHEREAS, child abuse is the only area which has received substantial attention in Tennessee, resulting in a comprehensive and coordinated program; and

WHEREAS, there is a need for a comprehensive and coordinated program for other victims of crime in Tennessee, particularly victims of drunk drivers; NOW, THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. There is created a fund within the treasury of the state of Tennessee to be known as the victims of crime assistance fund. Monies shall be deposited to the fund pursuant to Section 4 of this act and as may be otherwise provided by law and shall be invested for the benefit of the fund pursuant to Section 9-4-603, Tennessee Code Annotated. Monies in the fund shall not revert to the general fund of the state, but shall remain available for appropriation to victims of crime assistance programs as determined by the general assembly. Funds in the victims of crime assistance fund and available federal funds, to the extent permitted by federal law and regulation, shall be used first to fund the victim witness coordinator program established in Section 2 of this act and, to the extent that additional funds are available, to support other eligible victims of crime assistance programs. Such eligible victims of crime assistance programs shall include, but not be limited to, programs which provide appropriate counseling and support to victims including the victim's family and programs which assist in the rehabilitation of victims of crime. The commissioner of human services shall receive grant applications for said funds and shall approve such grants as are desirable to effectuate the purposes of this act, to the full extent of available funding in the Victims of Crime Assistance Fund established by this section. To assist in establishing criteria, priorities and the review of grant applications, the commissioner of human services shall establish an advisory committee composed of persons from each grand division of the state who are knowledgeable in establishing and administering victims of crime assistance programs.

SECTION 2. Tennessee Code Annotated, Title 8, Chapter 7, Part 2, is amended by adding the following as a new section:

SECTION _____. There is created in each judicial district of this state the position of victim-witness coordinator to be appointed by the district attorney general. The duties of the victim-witness coordinator shall include:

(a) Keeping victims and witnesses informed of court dates and actions affecting their case, including preliminary hearings, evidentiary hearings, trial dates, and sentencing hearings;

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(b) Assisting victims and witnesses to better understand the way the criminal justice system works, including the procedure and basis for continuances of cases and the procedure involved in the plea bargaining process;

(c) Assisting victims to become more involved in the processes which affect the perpetrator of the crime such as the plea bargaining process and the sentencing process including pre-sentence reports and the sentencing hearing itself;

(d) Informing victims and witnesses of scheduled actions affecting the status of appropriate inmates including notification of any department of correction decision permitting such inmate's release into the community, or any scheduled hearing by the board of paroles concerning the possible parole or executive clemency of such inmate;

(e) Assist in obtaining restitution to victims of crime directly from the perpetrator of the crime when possible; and

(f) Assisting eligible victims in obtaining benefits from the criminal injuries compensation program.

SECTION 3. Tennessee Code Annotated, Section 40-24-107 is amended by adding a new subsection to be appropriately designated and to read as follows:

"() (1) When the proximate cause of a death or injury is the operator's intoxication as prohibited by Section 55-10-401, Tennessee Code Annotated, such death or injury shall be eligible for compensation under the terms and conditions of Title 29, Chapter 13. Provided, however, such compensation shall:

(A) be paid exclusively from the fund established in subdivision (2) of this subsection;

(B) shall not exceed a maximum amount of \$2,000; and

(C) shall be exclusively determined by the claims commission established by Section 9-8-301, Tennessee Code Annotated.

Provided further, the decisions of the claims commission shall be subject to appeal in the same manner as is provided for other decisions of the commission. The commission shall hear claims arising under this subsection in the claimant's county of residence. No willing passenger in a motor vehicle of which the operator is legally intoxicated shall be eligible for compensation.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(2) There is created in the treasury of the state of Tennessee a fund to be known as the "victims of drunk drivers compensation fund." Monies shall be deposited to the fund as provided in Section 4 of this act and shall be invested for the benefit of the fund pursuant to Section 9-4-603, Tennessee Code Annotated. Monies in the fund shall not revert to the general fund of the state, but shall remain available and are appropriated exclusively for the purpose of providing compensation pursuant to subdivision (1) of this subsection."

SECTION 4. Tennessee Code Annotated, Section 67-4-606, is amended by deleting item (8) in its entirety and substituting a new item (8) as follows:

"(8) The remainder of the tax collected under this part shall be allocated as follows: (i) for the fiscal year ending June 30, 1986 fifty percent (50%) to the victims of drunk driver's compensation fund established pursuant to section 3 of this act and fifty percent (50%) to the criminal injuries compensation fund; and (ii) for all subsequent fiscal years fifty percent (50%) to the victims of drunk drivers compensation fund established pursuant to Section 3 of this act, twenty-five percent (25%) to the victims of crime assistance fund created pursuant to section 1 of this act and twenty-five percent (25%) to the criminal injuries compensation fund."

SECTION 5. This act shall be known and cited as "The Victims of Crime Assistance Act of 1986".

SECTION 6. Sections 3 and 4 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections shall become effective on July 1, 1986, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1933, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1620--To set penalty, certain vandalism.

On motion, House Bill No. 1620 was made to conform with Senate Bill No. 1617.

On motion, Senate Bill No. 1617, on same subject, was substituted for House Bill No. 1620.

Mr. Webb moved that Senate Bill No. 1617 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Ms. Hassell moved that House Bill No. 1434 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1815--To provide for conversion of group insurance.

On motion, House Bill No. 1815 was made to conform with Senate Bill No. 1507.

On motion, Senate Bill No. 1507, on same subject, was substituted for House Bill No. 1815.

Ms. Robinson (Washington) moved that Senate Bill No. 1507 be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

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|----------------|----|
| Ayes | 92 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Kent moved that House Bill No. 1829 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1882--To make certain provisions, local government officials.

On motion, House Bill No. 1882 was made to conform with Senate Bill No. 1854.

On motion, Senate Bill No. 1854, on same subject, was substituted for House Bill No. 1882.

Mr. Miller moved that Senate Bill No. 1854 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 94 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

A motion to reconsider was tabled.

BILL RECALLED

On motion of Mr. Cobb, Senate Bill No. 1303 was recalled from the Senate for further consideration.

House Bill No. 1529--To increase membership, metropolitan airport authority.

On motion, House Bill No. 1529 was made to conform with Senate Bill No. 1280.

On motion, Senate Bill No. 1280, on same subject, was substituted for House Bill No. 1529.

Mr. Ellis moved that Senate Bill No. 1280 be passed on third and final consideration.

Mr. Pruitt moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1280 by adding the following language at the end of the amendatory language of Section 1:

Of the nine (9) persons appointed, one (1) shall be a female and one (1) shall be Black. However, a Black female shall not satisfy the requirement of one (1) female and one (1) Black.

On motion, the amendment was adopted.

Mr. Covington moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1280 by adding:

"Based upon the Metro Airport Authority's Noise Abatement Report compiled from population figures per the Metro Planning Commission, those persons living within three miles from the end of the North/South runway and the Southeast/Northwest runway are those persons most adversely impacted by air traffic noise. Therefore, at least one of the two positions created by this act shall be filled by a person who, at the time of appointment, is domiciled within three miles of the end of those runways previously described and shall continue to be domiciled within this three radius throughout their term.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1280, as amended, passed its third and final consideration by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------------------------|----|
| Ayes | 79 |
| Noes | 12 |
| Present and not voting | 4 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Garrett, Gill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, McAfee, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Chiles, Davis (Cocke), Drew, Frenslley, Harrill, Lawson, May, McCroskey, McNally, Moody, Nance and Scruggs--12.

Representatives present and not voting were: Bewley, Henry, Patterson and Robinson (Washington)--4.

A motion to reconsider was tabled.

House Bill No. 1945--To create Blount County Technology Corridor Development Authority.

Mr. Swann moved that House Bill No. 1945 be passed on third and final consideration.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1945 by inserting the following language as a new section immediately following Section 13 and by renumbering subsequent sections of the bill accordingly:

SECTION ____.

(a) The Blount County Technology Corridor Development Authority and its Board of Directors shall automatically terminate, shall cease all activities, and shall cease to exist on July 1, 1989, unless prior to such date, legislation which repeals the provisions of this section, is enacted by the general assembly and approved by a two-thirds (2/3) vote of the governing bodies of each of the following: Blount County, the City of Maryville, and the City of Alcoa.

(b) Automatic termination of the Blount County Technology Corridor Development Authority and its Board

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

under the provisions of subsection (a) of this section shall not cause the dismissal of any claim or right of any person against the authority or the board or any claim or right of the authority or the board which is the subject of litigation. Upon automatic termination, existing claims and rights of the authority and the board shall be jointly assumed by Blount County, the City of Maryville, and the City of Alcoa. If the authority or the board has any outstanding indebtedness on the date of such termination, the obligations and rights of the authority and the board shall jointly accrue to Blount County, the City of Maryville, and the City of Alcoa.

On motion, the amendment was adopted.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1945 by adding to Section 3 the following new item 1:

1. "Tennessee Technology Corridor Development Authority" as defined in Chapter 128 of the Private Acts of 1983.

AND FURTHER AMEND by deleting from the third sentence of subsection b of Section 6 the words "secure three" and substituting instead the words "be appointed for three".

AND FURTHER AMEND by inserting after the third sentence of subsection b of Section 6 the following new sentence:

All members of the Board of Commissioners shall have been a Blount County resident for at least one (1) year.

AND FURTHER AMEND in Section 7 by deleting from subsection 1 the word "Blount County Technology Corridor" and substituting instead the words "Tennessee Technology Corridor Development Authority".

AND FURTHER AMEND in Section 8 by deleting from the first sentence the word "Accepted" and substituting instead the word "Except".

AND FURTHER AMEND in Section 10 by deleting from item a the words "located in an agricultural zone and".

AND FURTHER AMEND in Section 13 by deleting from subsection d the words "or that" and substituting instead the words "to be appointed by the planning commission of that".

AND FURTHER AMEND in Section 13 by deleting from subsection d the words "on the Board of Commissioners" and substituting instead the words "to the Board of Commissioners".

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, the amendment was adopted.

Thereupon, House Bill No. 1945, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 90 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Garrett, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --90.

A motion to reconsider was tabled.

Mr. Darnell moved that House Bill No. 1796 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

Mr. Bragg moved that Senate Bill No. 1160 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

Mr. Naifeh moved that House Bill No. 1930 be placed on the Calendar for Monday, April 7, 1986, which motion prevailed.

Senate Bill No. 308--To make certain provisions, subsurface sewage disposal systems.

Mr. Hillis moved that Senate Bill No. 308 be passed on third and final consideration.

Mr. Hillis moved that the House reconsider its action in adopting Amendments Nos. 1, 2, 3, 4, 5 and 6, which motion prevailed.

Mr. Hillis moved that Amendments Nos. 1, 2, 3, 4, 5 and 6 be withdrawn, which motion prevailed.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 308 in Section 2(10) by deleting the following:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

"if he deems it to be appropriate;"

and substituting the following:

"The duty to enter into an agreement or contract shall be mandatory for the commissioner when a request is made to the commissioner by the county executive of such county;"

and further by deleting in the second paragraph of SECTION 5 the "(3)" and substituting "(6)"

and further by deleting in SECTION 5 the following language:

"(9) "To sell or offer for sale any lots in a subdivision without having first obtained approval from the Department for the subdivision plan."

and further in SECTION 9 by deleting the words:

"and/or imprisoned for no more than eleven (11) months and twenty-nine (29) days"

and further by deleting SECTION 10 in its entirety.

On motion, the amendment was adopted.

Mr. Phillips moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 308 by deleting the amendatory subsection (d) in the sixth paragraph of the original Section 2 and by substituting instead the following:

(d) "A permit for the use of a subsurface sewage disposal system for a division of a parcel of property must be issued if all lots within the parcel meet all conditions authorized under subsection (a)(2) of this section and meet the requirements of either subsection (d)(1) or subsection (d)(2), as follows:

(1) the lot is found to have a percolation rate of not less than seventy-six (76) minutes per inch and not more than one-hundred five (105) minutes per inch, the percolation rate to be determined by a percolation test certified by the Department, performed by soil scientist, engineer or surveyor licensed in this state and approved by the Department, or

(2) the lot is found to have a percolation rate of not less than one hundred six (106) minutes per inch and not more than one hundred twenty (120) minutes per inch provided that an alternative method of subsurface sewage disposal be used, the percolation rate to be determined by a percolation

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

test certified by the Department, performed by soil scientist, engineer or surveyor licensed in the state and approved by the Department."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 308, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 84 |
| Noes | 9 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Bewley, Crain, Dills, Harrill, Henry, Miller, Scruggs, Stafford and Tankersley--9.

A motion to reconsider was tabled.

House Bill No. 1914--To redistrict certain legislative districts.

Mr. Hurley moved that House Bill No. 1914 be passed on third and final consideration.

Mr. Hurley moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1914 by deleting the amendatory item (9) in Section 2 in its entirety and by substituting instead the following:

(9) NINTH: All of Hawkins County. In Hancock County: county commission districts 1,2,4,6 and all of county commission districts 3 and 7 except that portion of such county commission districts 3 and 7 which is contained within the boundaries of enumeration district 9 of the Sneedville census division.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1914, as amended, passed its third and final consideration by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------------------------|----|
| Ayes | 87 |
| Noes | 1 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representative voting no was: Henry--1.

Representative present and not voting was: Bragg--1.

A motion to reconsider was tabled.

House Bill No. 1797--To amend Section 8-42-101, Code.

Mr. Tanner moved that House Bill No. 1797 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1797 by deleting SECTION 1 in its entirety and by substituting in lieu thereof the following:

SECTION 1. Tennessee code Annotated, Section 8-42-101, is amended by adding the following language as the last sentence of item (3):

Any deputy inspector appointed by the state fire marshal pursuant to Tennessee Code Annotated, Section 68-17-143, shall be considered a state employee for the sole purpose of facilitating the purchase of personal liability insurance by that individual and for no other purpose.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1797, as amended, passed its third and final consideration by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------|----|
| Ayes | 94 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1654--To enact Agricultural Financial and Family Counseling Act.

Mr. Ivy moved that House Bill No. 1654 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 92 |
| Noes | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative voting no was: Swann--1.

A motion to reconsider was tabled.

House Bill No. 1488--To regulate spacing of oil wells.

Mr. Burnett moved that House Bill No. 1488 be passed on third and final consideration.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1488 by adding the following language as Section 3:

SECTION 3. This act shall automatically expire on July 1, 1989.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1488, as amended, passed its third and final consideration by the following vote:

| | |
|----------------------------------|----|
| Ayes | 95 |
| Noes | 0 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative present and not voting was: Lawson--1.

A motion to reconsider was tabled.

House Bill No. 1484--To set bidding requirements, general contractors.

On motion, House Bill No. 1484 was made to conform with Senate Bill No. 1555.

On motion, Senate Bill No. 1555, on same subject, was substituted for House Bill No. 1484.

Mr. Burnett moved that Senate Bill No. 1555 be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------------------------|----|
| Ayes | 88 |
| Noes | 3 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Crain, Henry and Stallings--3.

Representative present and not voting was: Buck--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1751--To provide for business tax on transient vendors.

On motion, House Bill No. 1751 was made to conform with Senate Bill No. 1213.

On motion, Senate Bill No. 1213, on same subject, was substituted for House Bill No. 1751.

Mr. Darnell moved that Senate Bill No. 1213 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 97 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Burnett moved that House Bill No. 1855 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

Mr. Miller moved that House Bill No. 1211 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1790--To amend Title 40, Employment Chapter 7, Part 1, Code.

On motion, House Bill No. 1790 was made to conform with Senate Bill No. 1509.

On motion, Senate Bill No. 1509, on same subject, was substituted for House Bill No. 1790.

Mr. Murphy moved that Senate Bill No. 1509 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1509 by deleting subsection (7)(a) of the amendatory language of Section 1 and substituting instead the following:

(7)(a) Notwithstanding any other provision of law to the contrary, when a law enforcement officer responds to a domestic violence call and finds the victim and alleged assailant are both present, such officer may arrest the alleged assailant without a warrant if:

1) such officer actually observes the commission of an assault and battery or more serious offense against the victim; or

2) such officer has probably cause to believe that an assault and battery or more serious offense against the victim has been committed though not in his presence and that more violence will occur if the alleged assailant is not immediately taken into custody.

FURTHER AMEND by adding the following new subsection (b) and by relettering present subsection (b) and subsequent subsections accordingly:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(b) When a law enforcement officer responds to a domestic violence call and the alleged assailant is no longer present, such officer shall:

- 1) offer to transport the victim to the location where arrest warrants are issued in that city or county and assist the victim in obtaining an arrest warrant against the alleged assailant; and,
- 2) offer to transport the victim to a place of safety such as any shelter or other similar service available in the community or the residence of a friend or relative.

FURTHER AMEND by deleting from the first sentence of relettered subsection (c) the words "The peace officer shall" and substituting instead the words "If the victim of domestic violence declines a law enforcement officer's offer of transportation pursuant to subsection (b), such officer shall".

On motion, the amendment was adopted.

Ms. Williams moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1509 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

Section __. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1509, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 97 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt,

Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Yelton moved that House Bills Nos. 1893 and 1776 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1670--To make provisions, suretyship agreements.

Mr. Clark (Davidson) moved that House Bill No. 1670 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1670 by deleting from the first sentence of the amendatory language of Section 1, the words and punctuation "each future obligation.", and by substituting instead the words and punctuation:

"The future obligation; provided, however, no additional writing or guarantee shall be required at the time of the advance for advances which are permitted pursuant to the terms of the guaranty or suretyship agreement."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1670, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 89 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

A motion to reconsider was tabled.

House Bill No. 1532--To make certain provisions, controlled substances.

On motion, House Bill No. 1532 was made to conform with Senate Bill No. 1958.

On motion, Senate Bill No. 1958, on same subject, was substituted for House Bill No. 1532.

Mr. Clark (Davidson) moved that Senate Bill No. 1958 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1958 by deleting the amendatory language of Section 1 in its entirety and substituting in lieu thereof the following:

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, or receipt of property described in subdivisions (a) (1) or (a) (2), but:

(A) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of parts 3 and 4 of this chapter or title 39, chapter 6, part 4;

(B) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent;

(C) A conveyance is not subject to forfeiture for a violation of Section 39-6-417 (b); and

(D) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1958, as amended, passed its third and final consideration by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Ayes 94
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. King moved that House Bill No. 1625 be placed on the Calendar for Monday, April 7, 1986, which motion prevailed.

House Bill No. 2024--To make certain provisions, medicaid services.

Mr. Starnes moved that House Bill No. 2024 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2024 by deleting the amendatory sentences of section 1 of the act and by substituting instead the following sentences:

(10) Contract, to the extent feasible, with one or more contractors and/or fiscal intermediaries to provide or arrange services under this chapter. The fiscal intermediary, or intermediaries, shall be chosen on the basis of competitive bidding subject to the approval of the governor or his representative. Contractors other than fiscal intermediaries shall be chosen in the same manner as all other public contractors as provided in Title 12, Chapter 4, Part 1.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2024, as amended passed its third and final consideration by the following vote:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

| | |
|----------------|----|
| Ayes | 95 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1966--To make certain provisions, health and accident insurance.

On motion, House Bill No. 1966 was made to conform with Senate Bill No. 1857.

On motion, Senate Bill No. 1857, on same subject, was substituted for House Bill No. 1966.

Mr. Starnes moved that Senate Bill No. 1857 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1857 by deleting the period at the end of the first sentence in subsections (a) (1) and (a) (2) of Sections 1 and adding the following:

"for those dependent children who are unmarried and are dependent on the insured for support and maintenance."

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1857 by deleting the figures "23" from the first sentence of the amendatory language of subsections (a) (1) and (2) of Section 1 and by substituting in stead the figures "24".

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1857 by amending the amendatory language by deleting Section 2 in its entirety and renumbering the subsequent sections.

On motion, the amendment was adopted.

Mr. Gafford moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1857 in Section 1(a)(2) by deleting the first sentence in its entirety and by substituting the following:

A group hospital or medical expense insurance policy or contract, as provided under Chapters 26, 28 or 29 of this Title, delivered or issued for delivery in this state, or which is amended or renewed by agreement or otherwise, on or after 120 days subsequent to the effective date of this act, and which provides that coverage of a dependent child shall terminate upon attainment of the limiting age for dependent children specified in the policy may also provide that such limiting age be not earlier than 23 years.

Mr. Starnes moved that Amendment No. 4 be tabled which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 57 |
| Noes | 33 |

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Davis (Cocke), DeBerry, DePriest, Dixon, Duer, Garrett, Gill, Harrill, Hawkins, Henry, Hurley, Jared, Jones, King, Lawson, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore, Murphy, Naifeh, Nance, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Starnes, Turner, B. (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Whitson, Williams, Wolfe, Wood, Work and Yelton--57.

Representatives voting no were: Buck, Clark (Sumner), Copeland, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), Dills, Frensley, Gafford, Hassell, Hillis, Hobbs, Huskey, Ivy, Kent, McCroskey, Murray, Napier, Rhinehart, Robinson (Davidson), Stafford, Stallings, Swann, Tankerlsey, Tanner, Ussery, Webb, West, Wheeler, Winningham and Wix--33.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Thereupon, Senate Bill No. 1857, as amended, passed its third and final consideration by the following vote:

| | |
|----------------------------------|----|
| Ayes | 83 |
| Noes | 11 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Patterson, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Work, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Copeland, Curlee, Frensley, Gafford, Hillis, Napier, Stafford, Tankersley, Webb, Wix and Wood--11.

Representative present and not voting was: Hobbs--1.

A motion to reconsider was tabled.

House Bill No. 1911--To regulate the service of alcoholic beverages in hotels.

On motion, House Bill No. 1911 was made to conform with Senate Bill No. 1174.

On motion, Senate Bill No. 1174, on same subject, was substituted for House Bill No. 1911.

Mr. Cobb moved that Senate Bill No. 1174 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 72 |
| Noes | 22 |
| Present and not voting | 2 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Hassell, Hawkins, Henry, Hillis, Hurley, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Starnes, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams and Mr. Speaker McWherter--72.

Representatives voting no were: Byrd, Clark (Sumner), Collier, Crain, Davis (Gibson), Dills, Gafford, Harrill, Hobbs, Huskey, Ivy, Lawson, McAfee, Nance, Napier, Stafford, Stallings, Tankersley, Turner, C. (Shelby), Winningham, Wolfe and Wood--22.

Representatives present and not voting were: Work and Yelton --2.

A motion to reconsider was tabled.

House Bill No. 1619--To provided for summer schools.

Mr. Wood moved that House Bill No. 1619 be passed on third and final consideration.

Mr. Wood moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1619 by deleting the amendatory language of Section 1 and substitute instead the following:

SECTION 49-6-601. Any course work successfully completed in accordance with rules of the State Board of Education in a summer program of a school approved by the commissioner of education under Section 49-1-201 is fully transferable to any other approved school.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1619, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 96 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 1839

Senate Bill No. 1839--To regulate hazardous wastes and substances.

Mr. Moore moved that Senate Bill No. 1839 be passed on third and final consideration.

Mr. Napier moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1839 by adding a new section as follows:

The provisions of this Act amending T.C.A. Section 68-46-108 shall not apply to any facility currently operating under authorization of the Commissioner.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1839, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 95 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Byrd moved that House Bill No. 1295 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1852--To regulate practice of barbering.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Mr. Clark (Sumner) moved that House Bill No. 1852 be passed on third and final consideration.

Mr. Clark (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1852 by deleting item (5) of the amendatory language of Section 23 in its entirety and by substituting instead the following:

(5) For the renewal of an apprentice or master barber certificate, annually upon expiration, twenty dollars (\$20.00);

AND FURTHER AMEND by deleting item (9) of the amendatory language of Section 23 in its entirety and by substituting instead the following:

(9) For the renewal of a technician's certificate, annually on the applicant's birthday, twenty dollars (\$20.00);

AND FURTHER AMEND by deleting item (12) in the amendatory language of Section 23 in its entirety and by substituting instead the following:

(12) For the annual renewal of a barber shop or college certificate, three hundred dollars (\$300.00);

AND FURTHER AMEND by deleting item (16) of the amendatory language of Section 23 in its entirety and by substituting instead the following:

(16) For the renewal of a certificate of registration as a barber instructor, annually on September 1, twenty-five dollars (\$25.00);

AND FURTHER AMEND by deleting item (19) of the amendatory language of Section 23 in its entirety and by substituting instead the following:

(19) For the renewal of a barber shop certificate, annually on March 16, twenty-five dollars (\$25.00);

On motion, the amendment was adopted.

Mr. Clark (Sumner) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1852 by deleting the language "or barber school or college" in the amendatory language of Section 7 and by substituting instead the language "barber school or college, licensed funeral establishment, nursing homes, hospitals or health facilities."

MONDAY, MARCH 31, 1986—85th LEGISLATIVE DAY

On motion, the amendment was adopted.

Thereupon, House Bill No. 1852, as amended, passed its third and final consideration by the following vote:

| | |
|----------------------------------|----|
| Ayes | 54 |
| Noes | 38 |
| Present and not voting | 2 |

Representatives voting aye were: Bell, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Cross, Curlee, Darnell, Davis (Knox), DePriest, Dixon, Drew, Ellis, Frensley, Garrett, Gill, Hassell, Hawkins, Jones, Kent, Kernell, Love, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams and Work--54.

Representatives voting no were: Bewley, Bragg, Brewer, Burnett, Cobb, Copeland, Crain, Davis (Cocke), Dills, Duer, Gafford, Harrill, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, King, Lawson, McAfee, Moody, Naifeh, Scruggs, Stafford, Stallings, Tanner, Turner (Hamilton), Wheeler, Whitson, Winningham and Wolfe--38.

Representatives present and not voting were: Patterson and Yelton--2.

A motion to reconsider was tabled.

House Bill No. 1870--To enact Agricultural Production Input Law.

Mr. DePriest moved that House Bill No. 1870 be passed on third and final consideration.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1870 by deleting item 8 of Section 2 in its entirety and substituting the following:

(8) "Proceeds" means proceeds as defined in T.C.A. 47-9-306.

AND FURTHER AMEND by deleting the following sentence in paragraph (2) of Section 3:

"The security interest notification statement must be in a form approved by the secretary of state and disclose the following:"

and substituting the following:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

"The security interest notification statement shall contain the following information:"

AND FURTHER AMEND by deleting subdivision (2)(f) of Section 3 in its entirety and relettering subsequent subdivisions accordingly.

AND FURTHER AMEND by deleting paragraphs (3), (4), and (5) of Section 3 in their entirety, redesignating subdivision (6) as subdivision (5) and substituting the following:

(3)(a) Within 15 calendar days after receipt of a security interest notification statement, together with an authorization pursuant to T.C.A. 45-10-105 signed by the person to whom the agricultural production input was or is to be furnished, a lender shall respond in writing to the supplier and to the person to whom the agricultural production input was or is to be furnished as follows:

(i)(A) whether the lender has extended credit to the person to whom supplies were or are to be furnished to enable such person to produce crops during the then current or the next upcoming production season, and the amount of unexpended credit, if any, available to such person; and

(B) whether the lender has extended credit to such person which credit is secured by or may be secured by a security interest in the crops of the then current or the next upcoming production season, by an after acquired property clause or otherwise, and the date such credit was executed or given.

(ii) If the lender has extended credit to such person and there is unexpended credit available, upon authorization signed by such person the lender shall make any advances on such unexpended credit payable jointly to such person and to the supplier, up to the amount stated in the authorization or the amount of unexpended credit, whichever is less.

(iii) If the lender has extended credit to such person but there are no funds unexpended, or if no credit has been extended to such person, whether the lender is interested in issuing a letter of commitment upon receipt of a loan application and compliance with any conditions for the issuance of a letter of commitment.

(iv) whether the lender has pending a credit application from such person to enable him to produce crops during the then current or the next upcoming production season, and the amount applied for. Upon the approval or denial of such credit application, the lender shall, within five (5) days of such decision, or within fifteen (15) calendar days of receipt of the notification, inform in writing the supplier and such person of such decision.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(b) If a lender does not respond to a security interest notification statement within fifteen calendar days of receipt, a supplier may deliver to such lender a second security interest notification statement, which shall state that it is a second notice. Within ten (10) calendar days after receipt of the second notice the lender shall respond in writing as stated in subdivision (3)(a) of this section.

(4) Notwithstanding the provisions of TCA Section 47-9-312(2) and Section 47-9-204, if a lender does not timely respond to a second security interest notification statement, a perfected agricultural production input security interest corresponding to the security interest notification statement has priority over any security interest of the lender in the same crops or their proceeds, provided the supplier perfects such security interest within ten (10) days of its attachment.

AND FURTHER AMEND by deleting Section 5 in its entirety and substituting the following:

Section 5:

(1) To perfect an agricultural production input security interest the security interest must attach and the supplier entitled to the security interest must file a financing statement with a copy of the security interest notification statement attached, with the appropriate filing officer under TCA 47-9-401.

(2) The financing statement must indicate that the security interest is effective for 18 months after the date of filing. The financing statement and attached security interest notification statement may be removed from the filing systems 18 months after the date of filing, and may be physically destroyed after 30 months from the date of filing.

(3) The filing officer shall file, amend, and terminate such a financing statement, and shall charge the fee for filing under this section in the manner provided by TCA 47-9-403 for a financing statement.

(4) An agricultural production input security interest that is not perfected has the priority of an unperfected security interest under TCA 47-9-312.

AND FURTHER AMEND by deleting the last sentence of Section 6 in its entirety.

AND FURTHER AMEND by deleting Section 7 in its entirety and renumbering Section 8 as Section 7.

On motion, the amendment was adopted.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Thereupon, House Bill No. 1870, as amended, passed its third and final consideration by the following vote:

| | |
|----------------------------------|----|
| Ayes | 79 |
| Noes | 12 |
| Present and not voting | 3 |

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Collier, Covington, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Gill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Burnett, Cobb, Crain, Darnell, Dills, Gafford, Harrill, Lawson, Moody, Stafford, Tankersley and Turner, L. (Shelby)--12.

Representatives present and not voting were: Bragg, Kisber and Robinson (Hamilton)--3.

A motion to reconsider was tabled.

Mr. Tanner moved that House Bill No. 1871 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1486--To establish certain criteria, election registrars-at-large.

On motion, House Bill No. 1486 was made to conform with Senate Bill No. 1290.

On motion, Senate Bill No. 1290, on same subject, was substituted for House Bill No. 1486.

Mr. Burnett moved that Senate Bill No. 1290 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1290 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 12, Part 2, is amended by adding the following new sections:

Section 2-12-208. (a) Any registrar-at-large employed pursuant to Tennessee Code Annotated, Section 2-12-201, who has been certified under Tennessee Code Annotated, Section 2-11-202 (b), including any such registrar so certified prior to the effective date of this act, shall receive a base minimum yearly salary as follows:

(1) In counties of the second and third class, the registrar shall receive at least eighty percent (80%) of the salary of such county's assessor of property as provided in Tennessee Code Annotated, Section 67-1-508.

(2) In counties of the fourth, fifth, sixth and seventh class, the registrar shall receive at least seventy percent (70%) of the salary of such county's assessor property as provided in Tennessee Code Annotated, Section 67-1-508.

(3) In counties of the first class, the registrar shall receive at least sixty-five percent (65%) of the salary of such county's assessor of property as provided in Tennessee Code Annotated, Section 67-1-508.

(b) The minimum salaries for certified registrars-at-large provided by this section shall be paid by the county for which such registrar is employed. Nothing in this section shall be construed as prohibiting a county from paying its registrar more than the minimum salary provided by this section.

(c) Tennessee Code Annotated, Section 8-24-101, shall be used in determining the classification of counties for purposes of this section.

Section 2-12-209. (a) The state shall pay to the general fund of every county in which the registrar is or becomes certified under the provisions of Tennessee Code Annotated, Section 2-11-202 (b) the sum of fifteen thousand dollars (\$15,000) in the manner set out in subsection (b) of this section.

(b) The state payments to a county made pursuant to this section shall be paid quarterly in amounts of three thousand seven hundred and fifty dollars (\$3,750) per quarter.

(1) If a registrar becomes certified at some time other than the beginning of a quarter, such payments to the county shall commence at the beginning of the quarter next following the registrar's certification.

(2) If a registrar in a county receiving quarterly payments under the provisions of this section

loses his certification for whatever reason, such registrar shall have six (6) months from the date of such loss to regain such certification. If he has not done so at the end of six (6) months, state payments to the county pursuant to this section shall cease until the quarter next following the quarter such registrar regains certification.

(3) If the office of registrar in a county receiving quarterly payments under the provisions of this section becomes vacant for whatever reason, the new registrar shall have six (6) months from the date of taking office to become certified. If the new registrar has not become certified at the end of six (6) months, state payments to the county pursuant to this section shall cease until the quarter next following the quarter such new registrar becomes certified.

(c) (1) No county receiving payments pursuant to this section shall reduce the total amount of funds appropriated to such county's election commission below the total amount appropriated to such commission in previous comparable election and non-election years.

(c) (2) (A) If a county election commission is of the opinion that the county legislative body has not appropriated an amount of funds for its budget that is comparable to previous years as prohibited by subsection (c) (1), it shall, by petitioning the state election coordinator, have the right to a hearing on such matter before an administrative law judge in the secretary of state's office.

(B) Within ten (10) days of receiving such petition, the state election coordinator shall set a hearing date which date shall be within thirty (30) days of receiving the petition. The county executive and county election commission shall be notified of the time, place and date of the hearing by registered mail, return receipt requested, at least ten (10) days prior to such hearing.

(C) The hearing shall be held before an administrative law judge from the secretary of state's office. None of the parties involved in the hearing shall be required to have an attorney present.

(D) The judge shall examine all evidence produced at the hearing including the total appropriations made to the election commission of such county in previous comparable election or non-election years. Upon the conclusion of the hearing the judge shall determine

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

whether the total amount of funds appropriated to the election commission of such county is comparable to the amount it appropriated to such commission in previous election or non-election years.

(E) If the judge determines that the total amount appropriated to the county election commission is not comparable to previous years, and such county is receiving state payments pursuant to this section, the judge shall so certify to the state official responsible for authorizing such payments. Upon receiving certification from the judge pursuant to this subpart, such state official shall cease authorization of payment to such county effective the quarter next following the one in which such certification is received.

(30 In addition to the remedy set out in subsection (c) (2) of this section, the county election commission of any county receiving state payments under this section which so reduces election appropriations shall also be authorized to seek a writ of mandamus to compel the county legislative body to comply with the provisions of this subsection.

SECTION 2. Tennessee Code Annotated, Section 2-2-108, is amended by adding the following to the end of subsection (a): Provided, however, in counties with registrars certified under Tennessee Code Annotated, Section 2-11-202 (b) who receive at least eighty percent (80%) or sixty-five percent (65%) of the assessor of property's salary pursuant to Tennessee Code Annotated, Section 2-12-208(a)(1) or (a)(3), respectively, the commission office shall be open during the hours specified in this subsection at least five (5) days per week. In counties with registrars certified under Tennessee Code Annotated, Section 2-11-202 (b) who receive at least seventy percent (70%) of the assessor of property's salary pursuant to Tennessee Code Annotated, Section 2-12-208 (a) (2), the commission office shall be open during the hours specified in this subsection at least four (4) days per week. The hours such offices shall be open established by this subsection shall be the minimum hours, and nothing herein shall be construed as prohibiting the election commission from requiring such offices to stay open for additional hours per day or days per week.

SECTION 3. Tennessee Code Annotated, Section 2-11-202, is amended by adding the following to the end of subsection (a) (18):

Unless in the opinion of the state election commission, a registrar certified under this section has good cause for failing to attend and participate in the training seminars required by this subsection, such failure to attend and participate in the seminars shall result in the loss of such registrar's certification. Within thirty (30) days of receiving the training seminar attendance records from the

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

coordination of elections pursuant to subpart (19) of this subsection, such commission shall cause to be notified the state official responsible for authorizing payments to counties pursuant to Tennessee Code Annotated, Section 2-12-209, of the counties in which the registrar has lost his or her certification for failing to attend and participate in such seminars.

SECTION 4. Tennessee Code Annotated, Section 2-11-202, is amended by deleting the word "and" at the end of subsection (a) (17); deleting the period at the end of subsection (a) (18), and substituting instead the word and punctuation"; and "; and by adding the following to be designated as subsection (a) (19):

(19) Keep accurate records of those registrars who do and do not attend the training seminars required by subpart (18) and, within ten (10) days of the conclusion of each such seminar, transmit such records to the state election commission.

SECTION 5. Nothing in this act shall be construed as conferring upon any county election commission, registrar-at-large or any other county election official, status as a state employee. All such persons shall be considered employees of the county for which they work and all such persons shall be subject to all applicable purchasing and budgetary laws of such county.

SECTION 6. Tennessee Code Annotated, Section 2-12-109, is amended by deleting subsection (a) (1) and (a) (2), and substituting instead the following :

(a) The county election commission shall submit an annual budget to the county legislative body with a copy of such budget sent to the state coordinator of elections.

SECTION 7. Tennessee Code Annotated, Section 2-11-202, is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) The coordinator of elections and the state election commission shall, at least once per calendar year, prepare and administer a written examination on election laws to any registrar-at-large who desires to take the same. The coordinator of elections and the state election commission shall determine whether or not a registrar-at-large passes or fails such examination. All examinations administered pursuant to this subsection shall be prepared, conducted and graded in a fair and impartial manner. A registrar-at-large who successfully passes such examination shall receive certification from the state election commission.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

SECTION 8. This act shall take effect on July 1, 1986, the public welfare requiring it.

Mr. Miller moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the second sentence of Section 5 and substituting in lieu thereof:

"All election commissions shall submit their budget request in the same form and manner as other divisions of county government and shall follow the purchasing procedures of such county."

And by deleting section 6 thereof in its entirety and renumbering subsequent sections accordingly.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1290 by deleting the following language in the amendatory language of Section 1 of Amendment No. 1:

the sum of fifteen thousand dollars (\$15,000)

and by substituting instead the following:

the sum of ten thousand dollars (\$10,000)

AND FURTHER AMEND by deleting the following language in the amendatory language of Section 1 of Amendment No. 1:

amounts of three thousand seven hundred and fifty dollars (\$3,750)

and by substituting instead the following:

amounts of two thousand five hundred dollars (\$2,500)

Mr. Burnett moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 57 |
| Noes | 29 |
| Present and not voting | 2 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Ivy, Jared, Jones, King, Kisber, Love, McCroskey, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Rigeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--57.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Cocke), Davis (Knox), Drew, Hassell, Hawkins, Hurley, Huskey, Kent, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams and Wood--29.

Representatives present and not voting were: Harrill and Wolfe --2.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1290 by adding the following language after the language "three thousand seven hundred and fifty dollars (\$3,750) per quarter" in the amendatory language of Section 1 of Amendment 1:

Upon certification, the deputy registrar shall receive seventy-five percent (75%) of the yearly salary of the registrar at large.

Mr. Burnett moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 64 |
| Noes | 26 |
| Present and not voting | 1 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hawkins, Hillis, Hobbs, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, McCroskey, Miller, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--64.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Cocke), Davis (Knox), Duer, Hassell, Hurley, Huskey, Lawson, May, McAfee, McNally, Montgomery, Moody, Peroulas, Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams, Wolfe and Wood--26.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Representative present and not voting was: Harrill--1.

Mr. Lawson moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1290 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 16,700 nor more than 16,800 according to the 1988 federal census or any subsequent federal census.

Mr. Burnett moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 47 |
| Noes | 37 |
| Present and not voting | 2 |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Clark (Davidson), Cobb, Collier, Covington, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Ivy, Jared, Jones, Kisber, Love, McCroskey, Miller, Murphy, Murray, Naifeh, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Stallings, Turner (Hamilton), West, Wheeler, Winningham, Wix, Work and Yelton--47.

Representatives voting no were: Bewley, Byrd, Chiles, Clark (Sumner), Copeland, Darnell, Davis (Knox), Duer, Hassell, Hawkins, Hurley, Huskey, Kent, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore, Patterson, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Williams, Wolfe and Wood--37.

Representatives present and not voting were: Crain and Harrell --2.

Mr. Lawson moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 1290 by deleting Section 2 and substituting instead the following sections:

SECTION 2. Tennessee Code Annotated, Section 2-12-201, is amended by adding the following as a new subsection:

() Notwithstanding any provision of this section to the contrary, the county legislative body of any county may

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

provide, by resolution adopted by a two-thirds (2/3) vote of such body, that the county registrar-at-large shall be elected by the qualified voters of the county in the regular August election and every four (4) years thereafter. Such resolution, to be effective, must be adopted at least ninety (90) days prior to the first regular August election in which the county registrar-at-large is to be elected. The term of office for county registrars-at-large so elected shall begin on the first day of September next.

If the county legislative body provides that the county registrar-at-large shall be elected, then the county election commission shall employ such clerical assistants and may incur such expenses as may be necessary to perform the duties of this title.

SECTION 3. Section 1 of this act shall take effect on July 1, 1986, the public welfare requiring it. Section 2 of this act shall take effect upon becoming a law, the public welfare requiring it.

Mr. Speaker McWherter resumed the Chair.

Mr. Burnett moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 54 |
| Noes | 38 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Cross, Curlee, Darnell, Davidson, DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Jared, Jones, Kernell, King, Kisber, Love, McCroskey, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Turner, B. (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--54.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Davis (Knox), Drew, Duer, Hassell, Hawkins, Hurley, Huskey, Ivy, Kent, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore, Peroulas, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, USSery, Webb, Whitson, Williams, Wolfe and Wood--38.

Mr. Dills moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 1290 by changing the period at the end of the second sentence of the amendatory language of Section 2 to a semicolon, and by adding the following:

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

provided, however, in counties of the fourth class the commission office shall be open during the hours specified in this subsection five (5) days per week.

On motion, the amendment was adopted.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 1290 by deleting from the effective date clause the date "January 1, 1987", and by substituting instead the date "July 1, 1986".

Mr. Burnett moved the previous question, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 56 |
| Noes | 28 |

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Ivy, Jared, Jones, Kernell, King, Kisber, Love, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Bewley, Copeland, Davis (Knox), Duer, Hassell, Hawkins, Hurley, Huskey, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams, Wolfe and Wood--28.

Thereupon, Amendment No. 7 was adopted by the following vote:

| | |
|----------------|----|
| Ayes | 62 |
| Noes | 30 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Ivy, Jared, Jones, Kernell, King, Kisber, Lawson, Love, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--62.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Knox), Drew, Duer, Hassell, Hawkins, Hurley, Huskey, Kent, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams, Wolfe and Wood--30.

Mr. Burnett moved the previous question, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 62 |
| Noes | 28 |
| Present and not voting | 2 |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Love, McCroskey, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--62.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Knox), Drew, Duer, Frensley, Hassell, Hawkins, Kent, Lawson, May, McAfee, McNally, Montgomery, Moore, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Ussery, Williams and Wood--28.

Representatives present and not voting were: Moody and Wolfe --2.

Thereupon, Senate Bill No. 1290, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 64 |
| Noes | 29 |

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Ellis, Gafford, Garrett, Gill, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Love, McCroskey, Miller, Murphy, Murray, Naifeh, Napier, Patterson, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--64.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Knox), Drew, Duer, Frensley, Hassell, Kent, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore, Peroulas, Robinson

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

(Washington), Scruggs, Severance, Stafford, Stalling, Swann, Tankersley, Webb, Williams, Wolfe and Wood--29.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1308 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

House Bill No. 1168--To regulate county community work projects.

On motion, House Bill No. 1168 was made to conform with Senate Bill No. 1221.

On motion, Senate Bill No. 1221, on same subject, was substituted for House Bill No. 1168.

Mr. Brewer moved that Senate Bill No. 1221 be passed on third and final consideration.

Mr. Brewer moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1221 in SECTION 1 by deleting section 41-9-204 in its entirety and substituting in lieu thereof the following:

41-9-204. (a) No charitable organization, municipality, county or political subdivision thereof authorized by Section 41-9-102 to utilize probationer labor pursuant to this chapter shall be liable for any injury sustained by a probationer or other person while such probationer is performing a work project for such organization or governmental entity if the organization or governmental entity exercised due care in the protection and supervision of such probationer.

(b) (1) No municipality, county or political subdivision thereof, nor any employee or officer thereof, shall be liable to any person for the acts of any probationer while said probationer is on a community work project for such organization or governmental entity if the organization or governmental entity exercised due care in the protection and supervision of such probationer.

(2) No municipality, county or political subdivision thereof, nor any employee or officer thereof, shall be liable to any probationer or his family for death or injuries received while said probationer is on a community work project for such organization or governmental entity if the organization or governmental entity exercised due care in the protection and supervision of such probationer.

On motion, the amendment was adopted.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Thereupon, Senate Bill No. 1221, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 94 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 250

House Joint Resolution No. 250--Relative to proposing a constitutional amendment, lottery prohibition.

At the request of the sponsor, House Joint Resolution No. 250 was read by the Clerk.

Mr. Kernell moved that House Joint Resolution No. 250 be placed on the Calendar for Thursday, April 3, 1986, which motion prevailed.

PARLIAMENTARY INQUIRY

Mr. Brewer raised a parliamentary as to the difference between "published" and "advertised" as it relates to the process of amending the Constitution.

The Speaker stated that he would take the matter under advisement.

Mr. Jones moved that House Bill No. 1316 be placed on the Calendar for Monday, April 7, 1986, which motion prevailed.

CONSENT CALENDAR

OBJECTIONS

Objection were filed to the following bills and resolutions on the Consent Calendar:

MONDAY, MARCH 31, 1986—85th LEGISLATIVE DAY

Mr. Crain objected to House No. 1854.

Ms. Williams objected to House No. 1485.

Ms. Williams objected to House No. 1721.

Mr. Davis (Gobson) objected to House No. 2046.

Under the rules, House Bills Nos. 1485, 1721, 1854 and 2046 were placed at the foot of the Calendar for Thursday, April 3, 1986.

House Bill No. 1750--To grant certain authority, community corrections advisory boards.

On motion, House Bill No. 1750 was made to conform with Senate Bill No. 1868.

On motion, Senate Bill No. 1868, on same subject, was substituted for House Bill No. 1750.

House Bill No. 1487--To make certain provisions, volunteer fire departments.

House Bill No. 1681--To make certain provisions, municipal boundaries.

On motion, House Bill No. 1681 was made to conform with Senate Bill No. 1225.

On motion, Senate Bill No. 1225, on same subject, was substituted for House Bill No. 1681.

House Bill No. 1682--To extend deadline for certain notification, local governments.

House Bill No. 1563--To amend Title 8, Chapter 21, Code.

On motion, House Bill No. 1563 was made to conform with Senate Bill No. 1378.

On motion, Senate Bill No. 1378, on same subject, was substituted for House Bill No. 1563.

House Joint Resolution No. 496--Relative to expanding State Route 255.

House Bill No. 1175--To permit businesses to continue operation to satisfy delinquent taxes.

House Bill No. 1336--To extend counties option of using local resources, property reappraisal.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, House Bill No. 1336 was made to conform with Senate Bill No. 1484.

On motion, Senate Bill No. 1484, on same subject, was substituted for House Bill No. 1336.

House Bill No. 1436--To regulate distribution and servicing of fire extinguishers.

On motion, House Bill No. 1436 was made to conform with Senate Bill No. 1638.

On motion, Senate Bill No. 1638, on same subject, was substituted for House Bill No. 1436.

House Bill No. 1508--To provide for compensation of jurors.

On motion, House Bill No. 1508 was made to conform with Senate Bill No. 1257.

On motion, Senate Bill No. 1257, on same subject, was substituted for House Bill No. 1508.

House Bill No. 2013--To regulate terms of office certain county boards of education.

House Joint Resolution No. 595--Relative to directing study, unemployment insurance.

House Joint Resolution No. 562--Relative to redesignating the Dr. R.S. Gass State Office Building.

House Joint Resolution No. 609--Relative to extending benefits, certain state employees.

House Joint Resolution No. 607--Relative to providing credit, gifted and talented programs.

House Joint Resolution No. 629--Relative to congratulating Brentwood High School marching band.

House Joint Resolution No. 626--Relative to honoring Dr. Bryan G. Ragsdale.

House Joint Resolution No. 630--Relative to honoring Archie Lloyd.

House Joint Resolution No. 631--Relative to honoring Tish Hooker.

House Joint Resolution No. 632--Relative to commending Interim Certification Commission.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Senate Joint Resolution No. 300--Relative to congratulating Dr. Winston Thaxton.

Senate Joint Resolution No. 306--Relative to honoring Percy County High School basketball team

House Bill No. 2040--To make provisions, Board of Education, Overton County.

On motion, House Bill No. 2040 was made to conform with Senate Bill No. 2045.

On motion, Senate Bill No. 2045, on same subject, was substituted for House Bill No. 2040.

House Bill No. 2041--To amend Charter, Oneida.

On motion, House Bill No. 2041 was made to conform with Senate Bill No. 2043.

On motion, Senate Bill No. 2043, on same subject, was substituted for House Bill No. 2041.

House Bill No. 2042--To amend Charter, Portland.

House Bill No. 2003--To amend Charter, Bristol.

House Bill No. 2016--To amend Road Law, Macon County.

House Bill No. 2017--To provide uniform highway law, Macon County.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 98 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton),

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1504--To make certain provisions, firearms and ammunition.

SENATE AMENDMENT NO. 3

Amend House Bill No. 1504 by deleting the word "carrying" in the amendatory language of Section 1.

SENATE AMENDMENT NO. 4

Amend House Bill No. 1504 by adding the word "lawfully" between the words "resolution" and "enacted" in the amendatory language of House Amendment No. 1.

Mr. Moore moved that the House concur in Senate Amendments Nos. 3 and 4, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 94 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1694--To amend Chapter 7, Title 8, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1694 by adding a new section immediately before the effective date section, as follows, and renumbering the

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

effective date section accordingly:

SECTION _____. In accordance with Article II, Section 24, of the Constitution of Tennessee, this act shall be null and void unless there is a specific appropriation included in the general appropriations act to fund its estimated cost.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 96 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1303, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy filed the following motion in writing:

NOTICE OF MOTION

On the day the House of Representatives next convenes in this legislative session, I will move the House to rescind its previous action taken on third and final consideration of House Bill 685.

MIKE MURPHY

FURTHER CONSIDERATION OF SENATE BILL NO. 1303

Senate Bill No. 1303--To regulate criminal injury compensation program.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Mr. Cobb moved that the motion to reconsider Senate Bill No. 1303 be lifted from the table, which motion prevailed.

Mr. Cobb moved that the House reconsider its action in passing Senate Bill No. 1303 on third and final consideration, as amended, which motion prevailed.

Mr. Cobb moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Cobb moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1303 by adding the following new section to the bill to be appropriately numbered and to read as follows:

"SECTION __. Tennessee Code Annotated, Section 29-13-106(f) is amended by adding the following new language at the end of the existing subsection:

In claims involving the death of a victim, the proceeds from any life insurance contracts payable to the victims dependent(s) making the claim for compensation shall not be considered a source of reimbursement."

AND FURTHER AMEND by deleting the following language from SECTION 4 of the bill:

"(f)(2) The findings of fact shall include, but not be limited to, the following:"

and by substituting in lieu thereof the following:

"(f)(2) The findings of fact shall include, but not be limited to, those enumerated in this subsection. In the event that the order of the court does not include all of the findings of fact required by this subsection, the Board of Claims may, upon verification of the omitted findings of fact, approve the order for payment."

AND FURTHER AMEND by adding the following language as a new, appropriately designated section:

"SECTION __. Tennessee Code Annotated, Section 29-13-104 (1), is amended by deleting item (1) in its entirety and by substituting in lieu thereof the following new item (1):

(1) An act committed in this state, which, if committed by a mentally competent, criminally responsible adult, would

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

constitute a crime, provided, however, an injury or death inflicted through the use of a motor vehicle shall be eligible for compensation under this chapter only under the following circumstances: (1) if the operator of the vehicle directly causing the death or injury is subsequently convicted of a felony directly related to the death or injury; or (2) in instances where the operator of the vehicle directly causing the death or injury is deceased, compensation may be ordered if clear and convincing evidence is presented to the judge hearing the claim that the operator of the vehicle directly causing the death or injury would have been convicted of a felony directly related to the death or injury had said operator lived. Provided, further, when the proximate cause of a death or injury is the operator's intoxication as prohibited by Section 55-10-401, Tennessee Code Annotated, such death or injury shall be compensated in accordance with the provisions of SECTION 3 of Public Chapter ___ (Senate Bill 1956, House Bill 1933); provided, however, this section shall be effective only if Senate Bill 1956/House Bill 1933 becomes a law."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1303, as amended, passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 91 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Kernell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 658 out of order, which motion prevailed.

House Joint Resolution 658--Relative to study, job and economic training program--By Kernell.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kernell, House Joint Resolution No. 658 was referred to the Committee on Calendar and Rules.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 667 out of order, which motion prevailed.

House Joint Resolution No. 667--Relative to encouraging affiliation between T.S.U. and YMCA Night Law School--By Love, Drew, Brewer, Turner, L. (Shelby), Jones, DeBerry, Pruitt, Robinson (Hamilton), King and Dixon.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Love moved that House Joint Resolution No. 667 be adopted, which motion prevailed by the following vote:

| | |
|----------------|----|
| Ayes | 90 |
| Noes | 0 |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

RULES SUSPENDED

Mr. Buck moved that the rules be suspended for the purpose of passing House Bill No. 2058 on first consideration, which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 2058--To regulate General Sessions Court, Wilson County--By Bell and Buck.

Passed first consideration.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

RULES SUSPENDED

Mr. Hillis moved that the rules be suspended for the purpose of passing House Bill No. 2062 on first consideration, which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 2062--To establish Board of Road Commissioners, White County--By Hillis.

Passed first consideration.

Mr. Stallings moved that the rules be suspended for the purpose of introducing House Resolution No. 127 out of order, which motion prevailed.

House Resolution No. 127--Relative to requiring notice, anticipated growth, state programs--By Stallings.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Stallings, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTION WITHDRAWN

On motion of Mr. Whitson, House Joint Resolution 625 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Whitson, House Joint Resolution 625 was withdrawn from the House.

RULES SUSPENDED

Mr. Gill moved that the rules be suspended to set a Calendar for Thursday, which motion prevailed.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee,

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 123--Relative to minority-owned businesses, construction industry--By Love.

The Speaker referred House Resolution No. 123 to the Committee on Commerce.

House Resolution No. 126--Relative to honoring Houston L. Herndon--By Davis (Gibson).

Under the rules, House Resolution No. 126 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 635--Relative to designating May 4 as "Ramp Festival Day"--By Davis (Cocke).

Under the rules, House Joint Resolution No. 635 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 636--Relative to honoring Mt. Juliet High School girls' basketball team--By Bell.

Under the rules, House Joint Resolution No. 636 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 637--Relative to honoring Ben Barker --By Duer and Hillis.

Under the rules, House Joint Resolution No. 637 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 638--Relative to naming the "Gene Gordon Memorial Bridge"--By DePriest.

The Speaker referred House Joint Resolution No. 638 to the Committee on Transportation.

House Joint Resolution No. 639--Relative to honoring Avon William Rollins, Sr.--By Drew.

Under the rules, House Joint Resolution No. 639 was referred to the Committee on Calendar and Rules.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

House Joint Resolution No. 640--Relative to congratulating Frank Hughes High School girls' basketball team--By Ivy, and Wolfe.

Under the rules, House Joint Resolution No. 640 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 641--Relative to congratulating Memphis State University men's basketball team--By Gill, Turner, L. (Shelby), DeBerry, Byrd, Turner, C. (Shelby), Kent, Williams, Nance, Hassell, Shirley, Brewer, Gaia, King, Kernell, Dixon and Moore.

Under the rules, House Joint Resolution No. 641 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 642--Relative to congratulating Memphis State University Pom Pom Girls--By Gills, DeBerry, Turner, L. (Shelby), Byrd, Turner, C. (Shelby), Kent, Williams, Shirley, Nance, Hassell, Brewer, Gaia, King, Kernell, Dixon and Moore.

Under the rules, House Joint Resolution No. 642 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 643--Relative to changing name Fort Pillow State Prison--By Crain.

The Speaker referred House Joint Resolution No. 643 to the Committee on State and Local Government.

House Joint Resolution No. 644--Relative to declaring support, needs of mentally ill--By Brewer, Kernell, Shirley, Hassell and King.

The Speaker referred House Joint Resolution No. 644 to the Committee on General Welfare.

House Joint Resolution No. 645--Relative to honoring Oneida High School football team--By Winningham.

Under the rules, House Joint Resolution No. 645 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 646--Relative to honoring Pickett County High School girls' basketball team--By Winningham.

Under the rules, House Joint Resolution No. 646 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 647--Relative to honoring Sherelle Warren--By Dills.

Under the rules, House Joint Resolution No. 647 was referred to the Committee on Calendar and Rules.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

House Joint Resolution No. 648--Relative to honoring James L. Rippey--By Tanner.

Under the rules, House Joint Resolution No. 648 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 650--Relative to honoring Chuckey-Doak High School boys' basketball team--By Watson.

Under the rules, House Joint Resolution No. 650 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 651--Relative to honoring South Greene High School girls' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 651 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 652--Relative to naming certain National Guard Armory--By Wolfe.

The Speaker referred House Joint Resolution No. 652 to the Committee on State and Local Government.

House Joint Resolution No. 654--Relative to honoring Hampton High School boys' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 654 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 655--Relative to commending Sue Lee Talent--By Harrill, Henry and Stafford.

Under the rules, House Joint Resolution No. 655 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 656--Relative to honoring Unicoi High School boys' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 656 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 657--Relative to honoring Unicoi high School girls' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 657 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 659--Relative to honoring William B. Dunavant, Jr.--By Dixon, Kent, King, DeBerry, Nance, Brewer, Hassell, Williams, Byrd, Turner, C. (Shelby), and Shirley.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Under the rules, House Joint Resolution No. 659 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 660--Relative to rescinding application for U. S. Constitutional Convention--By Bragg.

The Speaker referred House Joint Resolution No. 660 to the Committee on Finance, Ways and Means.

RESOLUTION LYING OVER

Senate Joint Resolution No. 274--Relative to study, telephone access, Knoxville.

The Speaker referred Senate Joint Resolution No. 274 to the Committee on State and Local Government.

INTRODUCTION OF BILLS

House Bill No. 2054--To repeal Chapter 728, Private Acts, 1947 --By Burnett.

Passed first consideration.

House Bill No. 2055--To amend Charter, Trenton--By Davis (Gibson).

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1489--To regulate enforcement, child support.

Passed first consideration.

Senate Bill No. 1587--To make provisions, judges, Courts of General Sessions.

Passed first consideration.

Senate Bill No. 1662--To regulate certain election laws.

Passed first consideration.

Senate Bill No. 1802--To make certain provisions, legislative bodies, certain municipalities.

Passed first consideration.

Senate Bill No. 1829--To make certain provisions, mentally incompetent juveniles.

Passed first consideration.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

Senate Bill No. 1831--To provide purchase, certain insurance, local education.

Passed first consideration.

Senate Bill No. 1837--To enact Volunteer Higher Education Trust Fund Act.

Passed first consideration.

Senate Bill No. 1861--To make procedures, juvenile courts.

Passed first consideration.

Senate Bill No. 1879--To define prostitution.

Passed first consideration.

Senate Bill No. 1890--To regulate certain health facilities.

Passed first consideration.

Senate Bill No. 1900--To regulate communications, psychiatrist and patient.

Passed first consideration.

Senate Bill No. 1965--To amend Comprehensive Education Reform Act.

Passed first consideration.

Senate Bill No. 2003--To regulate Emergency Communications Districts, certain counties.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2049--To amend Charter, Manchester.

Passed second consideration and held without reference.

House Bill No. 2050--To set compensation, mayor and aldermen, Brownsville.

Passed second consideration and held without reference.

House Bill No. 2051--To regulate garbage collection, Hamilton County.

Passed second consideration and held without reference.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

House Bill No. 2052--To define boundaries, Gibson County School District.

Passed second consideration and held without reference.

House Bill No. 2053--To regulate Kenton Special School District.

Passed second consideration and held without reference.

REPORTS OF STANDING COMMITTEES

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bill No. 2044.

HILLIS, Chairman.

Under the rules, House Bill No. 2044 was transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 428 and 2043.

MURPHY, Chairman.

Under the rules, House Bills Nos. 428 and 2043 were transmitted to the Committee on Calendar and Rules.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1322, 1488, 1580, 1619, 1654, 1670, 1797, 1914 and 2024; and House Joint Resolution No. 661; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 313 and 316; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 313 and 316.

Mr. Chiles moved that House Joint Resolution No. 605 be recalled from the Committee on Transportation and referred to the Committee on Calendar and Rules, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

197--Relative to designating "Henry Davis Memorial Highway";

602--Relative to honoring Sarah Moore Greene;

603--Relative to honoring David Roberts; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1272--To continue prevailing wage commission;

1275--To continue occupational safety and health review commission;

1345--To authorize transfer, vocational education equipment;

1347--To amend Section 49-3-310, Code;

1543--To provide for deposit of license in lieu of bail;

1606--To regulate purchases by local boards of education;

1669--To regulate labor educational association advisory committee;

1785--To make certain provisions, cemeteries;

1801--To regulate motor vehicle fuel use tax; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

820--To create Four Lake Regional Industrial Development Authority;

1778--To create state health insurance comprehensive pool;

1888--To make certain provisions, motor vehicle warranties; all substituted for Senate Bills on same subject, amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1266--To continue housing rehabilitation corporation;

1445--To regulate elections, telephone cooperatives;

1488--To regulate spacing, oil wells; all substituted for Senate Bills on same subject, and amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 333, 1326, 1340, 1365, 1367, 1375, 1396, 1448, 1510, 1511, 1525, 1526, 1582, 1595, 1622, 1635, 1636, 1637, 1659, 1662, 1674, 1720, 1740, 1742, 1798, 1806, 1820, 1916, 1939, 1970, 1982, 1999, 2005, 2014, 2021 and 2022; also, House Joint Resolutions Nos. 587, 588, 589, 598, 599, 633 and 634; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1229--Turner (Hamilton)

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

House Bill No. 1463--Turner (Hamilton), Mr. Speaker McWherter

House Bill No. 1485--Davis (Cocke), Huskey

House Bill No. 1580--Drew

House Bill No. 1751--Severance

House Bill No. 1790--Naifeh, DeBerry, Williams

House Bill No. 1933--Peroulas, Cobb

House Bill No. 1966--Turner (Hamilton)

House Bill No. 2026--Clark (Davidson)

House Joint Resolution No. 627--Whitson, Harrill

House Joint Resolution No. 658--Phillips, Ellis, Dixon, Murphy

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1259--To continue board for licensing health care facilities;

1544--To amend Retailers' Sales Tax Act;

1580--To make certain provisions, certain home repairs;

1619--To make certain provisions, summer schools;

1775--To make certain provisions, handicapped;

1980--To amend Charter, Westmoreland;

1994--To regulate cemeteries, certain counties;

1997--To provide for municipal officers, Mitchellville;

2009--To regulate registration of conveyances of realty, Hardin County;

2020--To regulate parking of motor vehicles, Maryville;

2027--To amend Charter, Smithville;

2028--To set qualifications, chief administrative officer, certain counties;

2033--To provide new charter, Dresden;

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

2035--To set qualifications, road superintendent, Sumner County;

2037--To create Highway Commission, Carroll County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

308--Relative to expressing appreciation, Barbara Wallace;

309--Relative to congratulating Coach Donnie Jordan and girls' basketball team;

311--Relative to honoring Benjamin L. Smith;

312--Relative to congratulating Coach Larry Ricker and girls' basketball team;

314--Relative to sympathy, James E. Corcoran;

320--Relative to appreciation, Gayle Sayers; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1360--To regulate Joint Underwriting Association;

1365--To regulate Joint Underwriting Association;

1516--To regulate registration, certain motor vehicles;

1562--To define commercial vehicle;

1566--To regulate use, sulfites, food service;

1666--To regulate ad valorem real property taxes;

1749--To prohibit persons found guilty, intoxication, operating certain vessels;

1850--To make certain provisions, certificates of title, motor vehicles;

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

1969--To regulate safety inspection, Public Service Commission;

2040--To revise and codify General and Public Statutes; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1175, 1487, 1682, 1852, 1870, 1933, 1945, 2003, 2013, 2016, 2017 and 2042; and House Joint Resolutions Nos. 496, 562, 595, 607, 609, 626, 629, 630, 631, 632 and 667; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2049, 2050, 2051, 2053 and 2034.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 3, 1986: House Resolution No. 126; House Joint Resolutions Nos. 605, 627, 635, 636, 637, 639, 640, 641, 642, 645, 646, 647, 648, 650, 651, 654, 655, 656, 657, 659; House Bills Nos. 2049, 2050, 2051, 2053, 2034 and 1764, House Joint Resolution No. 560, and House Bills Nos. 2001, 2043, 2044; and House Joint Resolutions Nos. 504 and 622.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 3, 1986: House Bills Nos. 1938, 1883, 1736, 1361, 1165, 1986, 1755, 1890, 1983, 1600, 1936, 1879, 1743, 145, 1546, 1558, 1412, 1784, 1835, 2007, 1154, 1232, 604, 948, 1230, 1479 and 1605.

GILL, Chairman.

MONDAY, MARCH 31, 1986--85th LEGISLATIVE DAY

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m.,
Thursday, April 3, 1986.